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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
897,933	07/05/2001	Shohei Takeda	862.C2308	1844

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FITZPATRICK CELLA HARPER & SCINTO  
30 ROCKEFELLER PLAZA  
NEW YORK, NY 10112

EXAMINER

DINH, TUAN T

ART UNIT PAPER NUMBER

2827

DATE MAILED: 02/14/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/897,933

Applicant(s)

SHOHEI TAKEDA

Examiner

Tuan T Dinh

Art Unit

2827

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 05 July 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 9-12 is/are allowed.
- 6) ☒ Claim(s) 1-8 and 13 <sup>and 9-12</sup> is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☒ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Specification***

1. The disclosure is objected to because of the following informalities:

Page 7, lines 5, 9, change "projections 3a" to --protrusions 3a--.

Page 2, line 8, change "shield box 291" to --shield box 201--.

Appropriate correction is required.

***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1-13 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claims 1, 5, lines 5-8, and claim 9, lines 7-9, it is unclear. The phrase of "a shield member...is electrically connected with said shield box" is not understood. Is there any structure to shown the shield member electrically connected to the shield box?

Regarding claim 1, line 13, claim 5, line 12, and claim 9, line 15, it is unclear. What does applicant means of " at a part thereof that contacts"? What does specific applicant meant of "at a part" to each claim?

Regarding claim 5, lines 10-11, it is confuse. Does applicant meant that "a shield plate is formed to have a plurality of protrusions."?

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-8, and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Prior Art (Admitted by applicant) in view of Furhmann et al. (U. S. Patent 6,051,780).

~~6.~~ As best understood to claims 1 and 5, PA discloses an emitted-radio-wave shield as shown in figure 5 comprising:

~~7.~~ a shield box (201) housing a circuit board (202);

~~8.~~ a shield plate (203) removably secured to said shield box (201); and

~~9.~~ a shield member (204), which is disposed at a joint between said shield box (201) and said shield plate (203) and is connected with said shield box.

~~10.~~ PA does not teach said shield plate is formed to have a plurality of protrusions, which project toward and contact said shield member.

~~11.~~ Furhmann shows a shield plate (2, column 3, line 40) having a plurality of protrusion (12, column 4, line 8).

~~12.~~ It would have been obvious to one having ordinary skill in the art at the time the invention was made to use protrusions of a shield plate as taught by Furhmann to employ the shield of PA in order prevent against EMI or RFI from a shield box.

Art Unit: 2827

~~13.~~ As to claims 2-3, and 6-7, Furhmann discloses the shield as shown in figure 2 wherein said plurality of protrusions are formed on said shield plate at regular intervals, but not shows said regular interval is 60 mm or less.

~~14.~~ It would have been obvious to one having ordinary skill in the art at the time the invention was made to use a distance of an interval between two protrusions in order to accurate making contact to a shield box, since it has been held that discovering an optimum value of a result effective variable involves only routine skill in the art. In re Boesch, 617 F.3d 172, 205 USPQ 215 (CCPA 1980).

~~15.~~ As to claims 4 and 8, PA discloses the shield as shown in figure 5 wherein said shield members (204) are resilient bodies.

As to claim 13, PA discloses an image forming apparatus using the emitted-radio-wave shield as shown in figure 5 wherein said circuit board (202) inherently is an image processing circuit board for converting an image to an electric signal and then processing the image:

***Allowable Subject Matter***

16. Claims 9-12 are allowed.

17. The following is an examiner's statement of reasons for allowance:

18. The references cited dos not teach or suggest an emitted radio wave shield comprising one edge of a shield plate is form to have projections and a flange is formed to have through-holes for mating with respective one of the projections; and an edge of the shield plate opposite said one edge is formed to have a locking portion for locking engagement with a locking means of a shield box.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

**Conclusion**


19. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Sueoka, Davidson, Wu, and Maeda disclose related art.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tuấn T Dinh whose telephone number is 703-306-5856. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Talbott can be reached on 703-305-9883. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-1341 for regular communications and 703-305-1341 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.

TD  
February 6, 2002

  
K. L. Liao  
Primary Examiner